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DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

November 9, 2021

Sent via e-mail to: SKuwahara@kernbhhs.org

Stacy Kuwahara, Director
Kern Behavioral Health & Recovery Services
P.O. Box 1000
Bakersfield, CA 93302

SUBJECT: Annual SABG County Compliance Unit Findings Report

Dear Director Kuwahara:

The Department of Health Care Services (DHCS) is responsible for monitoring compliance to requirements of the Substance Abuse Block Grant (SABG) and the terms of the Contract operated by Kern County.

The County Compliance Unit (CCU) within the Audits and Investigations Division (A&I) of DHCS conducted a review of the County's compliance with contract requirements based on responses to the monitoring instrument, discussion with county staff, and supporting documentation provided by the County.

Enclosed are the results of Kern County's Fiscal Year 2020-21 SABG compliance review. The report identifies deficiencies, required corrective actions, advisory recommendations, and referrals for technical assistance.

Kern County is required to submit a Corrective Action Plan (CAP) addressing each deficiency noted to the Community Services Division (CSD), Community Support Branch (CSB), Policy, Monitoring and Financing Section (PMFS) Analyst by 1/10/2022. Please use enclosed CAP form and submit the completed CAP and supporting documentation by email to the PMFS analyst at SABGcompliance@dhcs.ca.gov.

If you have any questions, please contact me at becky.counter@dhcs.ca.gov.

Sincerely,

Becky Counter
(916) 713-8567

Audits and Investigations Division
Medical Review Branch
Behavioral Health Compliance Section
County Compliance Unit
1500 Capitol Ave., MS 2305
Sacramento, CA 95814
<http://www.dhcs.ca.gov>

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Melanie Olcott, Kern County Unit Supervisor, Quality Improvement Division, Substance Use Disorder

COUNTY REVIEW INFORMATION

County:

Kern

County Contact Name/Title:

Melanie Olcott/Unit Supervisor Quality Improvement Division Substance Use Disorder

County Address:

P.O. Box 1000
Bakersfield, CA 93302

County Phone Number/Email:

(661) 868-7848
MOlcott@kernbhhs.org

Date of Review:

10/20/2021

Lead CCU Analyst:

Becky Counter

Assisting CCU Analyst:

N/A

Report Prepared by:

Becky Counter

Report Approved by:

Ayesha Smith

REVIEW SCOPE

- I. Regulations:
 - a. California Code of Regulations, Title 22, section 51341.1 – Drug Medi-Cal Substance Use Disorder Services
 - b. Code of Federal Regulations; Title 45, Part 96; Subpart L; section 96.121 through 96.137: Substance Abuse Prevention and Treatment Block Grant
 - c. United States Code, Title 42, Section 300x-21 through 300x-66: Block Grants regarding Mental Health and Substance Use
 - d. Health and Safety Code, Division 10.5, Section 11750 – 11970: Alcohol and Drug Programs

- II. Program Requirements:
 - a. Fiscal Year (FY) 2020-21 Substance Abuse Block Grant (SABG) Application, herein referred to as the SABG Application
 - b. State of California *Youth Treatment Guidelines Revised August 2002*
 - c. DHCS *Perinatal Practice Guidelines FY 2018-19*
 - d. National Culturally and Linguistically Appropriate Services (CLAS)
 - e. Mental Health and Substance Use Disorders Services (MHSUDS) Information Notices
 - f. Behavioral Health Information Notices (BHIN)

ENTRANCE AND EXIT CONFERENCE SUMMARIES

Entrance Conference:

An Entrance Conference was conducted via WebEx on 10/20/2021. The following individuals were present:

- Representing DHCS:
Becky Counter, Associate Governmental Program Analyst (AGPA)
- Representing Kern County:
Stacy Kuwahara, Director
Alison Burrowes, Deputy Director
Robin Taylor, Deputy Director
Lesleigh Davis, Administrator, Quality Improvement Division
Ana Olvera, Administrator, Substance Use Disorder
Melanie Olcott, Unit Supervisor, Quality Improvement Division, Substance Use Disorder
Amber Lopez, Quality Improvement Division Planning Analyst
Rafael Lopez, Quality Improvement Division Planning Analyst
Lorena Boykins, Program Coordinator, Substance Use Disorder Provider Liaison Team
Candee Del Rio, Finance Manager
Myeisha Dhillon, Coordinator of Administrative & Legislative Analysis, Quality Improvement Division
Heather Williams, Coordinator of Administrative & Legislative Analysis, Quality Improvement Division
Jessica Armstrong, Administrator, Contracts Division
Karina Leonzo-Castillo, Unit Supervisor, Quality Improvement Division, Documentation Compliance
Allissa Lopez, Administrator, Medical Services
Sylvia Petitt, Unit Supervisor RISE
Gregory Gonzalez, Unit Supervisor, Gateway Team
Rachelle Hunt, Technology Services Manager
Melanie McIntyre, Electronic Health Records Supervisor, CalOMS
Jamie Whitlock, Electronic Health Records (EHR) Supervisor, EHR Support
Dissary Chairez, Program Technician, Patients' Rights
Jonathan Monsibais, Office Services Technician, Patients' Rights
Selma Gonzalez, Administrative Coordinator, Quality Improvement Division
Ivan Carrasco, Unit Supervisor, Quality Improvement Division
Joy Quinton- Buaya, Administrator, Department Supports
Cynthia Strange, Planning Analyst, Substance Use Disorder Provider Liaison Team
David Jenkins, Department Analyst, Substance Use Disorder Provider Liaison Team
Sarah Gutierrez, Corporate Compliance Officer
Ann Sherwood, Program Coordinator, Prevention
Amy Schultz, Program Coordinator, Human Resources
Pamela Coleman, Unit Supervisor Substance Use Disorder Outpatient Treatment
Ashley Jones, Unit Supervisor, Authorizations
Kathy Gildez, Office Services Specialist, Substance Use Disorder Administrator

During the Entrance Conference, the following topics were discussed:

- Introductions
- Overview of the monitoring process
- Kern County overview of services

Exit Conference:

An Exit Conference was conducted via WebEx on 10/20/2021. The following individuals were present:

- Representing DHCS:
Becky Counter, AGPA
- Representing Kern County:
Stacy Kuwahara, Director
Alison Burrowes, Deputy Director
Robin Taylor, Deputy Director
Lesleigh Davis, Administrator, Quality Improvement Division
Ana Olvera, Administrator, Substance Use Disorder
Melanie Olcott, Unit Supervisor, Quality Improvement Division, Substance Use Disorder
Amber Lopez, Quality Improvement Division Planning Analyst
Rafael Lopez, Quality Improvement Division Planning Analyst
Lorena Boykins, Program Coordinator, Substance Use Disorder Provider Liaison Team
Candee Del Rio, Finance Manager
Myeisha Dhillon, Coordinator of Administrative & Legislative Analysis, Quality Improvement Division
Heather Williams, Coordinator of Administrative & Legislative Analysis, Quality Improvement Division
Jessica Armstrong, Administrator, Contracts Division
Karina Leonzo-Castillo, Unit Supervisor, Quality Improvement Division, Documentation Compliance
Allissa Lopez, Administrator, Medical Services
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Amy Schultz, Program Coordinator, Human Resources
Pamela Coleman, Unit Supervisor, Substance Use Disorder Outpatient Treatment
Ashley Jones, Unit Supervisor, Authorizations
Kathy Gildez, Office Services Specialist, Substance Use Disorder Administrator

During the Exit Conference, the following topics were discussed:

- Review of compliance deficiencies
- Follow up deadlines

SUMMARY OF FY 2020-21 COMPLIANCE DEFICIENCIES (CD)

<u>Section</u>	<u>Number of CD's</u>
1.0 Administration	1
2.0 Prevention	0
3.0 Perinatal	0
4.0 Adolescent/Youth Treatment	0
5.0 Data/CalOMS	1
6.0 Program Integrity	1
7.0 Fiscal	0

CORRECTIVE ACTION PLAN (CAP)

Pursuant to the SABG County Application, Enclosure 1, Part I, Section 3, B, 5-8 each CD identified must be addressed via a CAP. The CAP is due within sixty (60) calendar days of the date of this monitoring report.

Please provide the following within the completed FY 2020-21 CAP:

- a) A statement of the CD.
- b) A list of action steps to be taken to correct the CD.
- c) A date of completion for each CD.
- d) The name of the person who will be responsible for corrections and ongoing compliance.

The PMFS analyst will monitor progress of the CAP completion.

Category 1: ADMINISTRATION

A review of the County's Maintenance of Records, service providers, referrals, services, contracts, and general provisions was conducted to ensure compliance with applicable regulations and standards. The following deficiency in regulations, standards or protocol requirements was identified:

COMPLIANCE DEFICIENCY:

CD: 1.5.9:

SABG Application, Enclosure 2, II, 14

14. Tribal Communities and Organizations

County shall regularly review population information available through Census, compare to information obtained in the California Outcome Measurement System for Treatment (CalOMS-Tx) to determine whether the population is being reached, and survey Tribal representatives for insight in potential barriers to the substance use service needs of the American Indian/Alaskan Native (AI/AN) population within the County geographic area. Contractor shall also engage in regular and meaningful consultation and collaboration with elected officials of the tribe, Rancheria, or their designee for the purpose of identifying issues/barriers to service delivery and improvement of the quality, effectiveness, and accessibility of services available to AI/NA communities within the County.

SABG Application, Enclosure 2, II, 23

23. Subcontract Provisions

County shall include all of the foregoing provisions in all of its subcontracts.

Findings: The County did not make available evidence demonstrating all of the foregoing SABG Application, Enclosure 2, Section II general provisions are included in all executed subcontracts, specifically Tribal Communities and Organizations.

Category 5: DATA/CALOMS

A review of data submissions via CalOMS was conducted to ensure compliance with applicable regulations and standards. The following deficiency in regulations, standards or protocol requirements was identified:

COMPLIANCE DEFICIENCY:

CD: 5.1.2:

SABG Application, Enclosure 2, III, 2, C-F

2. California Outcomes Measurement System for Treatment (CalOMS-Tx)

The CalOMS-Tx business rules and requirements are:

- C. Electronic submission of CalOMS-Tx data shall be submitted by County within 45 days from the end of the last day of the report month.
- D. County shall comply with data collection and reporting requirements established by the DHCS CalOMS-Tx Data Collection Guide (<https://www.dhcs.ca.gov/provgovpart/Pages/CalOMS-Treatment.aspx>) and all former Department of Alcohol and Drug Programs Bulletins and DHCS Information Notices relevant to CalOMS Tx data collection.
- E. County shall submit CalOMS-Tx admission, discharge, annual update, resubmissions of records containing errors or in need of correction, and “provider no activity” report records in an electronic format approved by DHCS.
- F. County shall comply with the CalOMS-Tx Data Compliance Standards established by DHCS for reporting data content, data quality, data completeness, reporting frequency, reporting deadlines, and reporting method, as identified online at:
<https://www.dhcs.ca.gov/provgovpart/Pages/CalOMS-Treatment.aspx>

Findings: The County’s Open Admissions Report is not in compliance.

Category 6: PROGRAM INTEGRITY

A review of the SABG monitoring, privacy, and program integrity was conducted to ensure compliance with applicable regulations and standards. The following deficiency in regulations, standards or protocol requirements was identified:

COMPLIANCE DEFICIENCY:

CD 6.1.3:

SABG Application Enclosure 2, I, 3, A, 1, a-e

1. County's performance under the County Performance Contract and the SABG County Application shall be monitored by DHCS during the term of the County Performance Contract. Monitoring criteria shall include, but not be limited to:
 - a. Whether the quantity of work or services being performed conforms to Enclosure 3.
 - b. Whether the County has established and is monitoring appropriate quality standards.
 - c. Whether the County is abiding by all the terms and requirements of this Contract.
 - d. Whether the County is abiding by the terms of the Perinatal Practice Guidelines.
 - e. Whether the County conducted annual onsite monitoring reviews of services and subcontracted services for programmatic and fiscal requirements. County shall submit copy of its monitoring and audit reports to DHCS within two weeks of issuance. Reports shall be sent by secure, encrypted e-mail to:

SUDCountyReports@dhcs.ca.gov or

Audits and Investigations Division
Medical Review Branch
Department of Health Care Services
PO Box 997413, MS-2703
Sacramento, CA 95899-7413

Findings: The County did not make available evidence it conducts an onsite monitoring review of each County subcontracted program providing SABG funded services.

- The County monitored nine (9) of 13 SABG funded providers and submitted audit reports of these annual reviews to DHCS.

TECHNICAL ASSISTANCE

Kern County did not request Technical Assistance in FY 20/21.